



SD WA 130: M668/2005/Mar. 17

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Minutes of the
Board of Minerals and Environment Meeting
Matthew Environmental Education and Training Center
523 East Capitol Avenue
Pierre, South Dakota

10:00 a.m. CST
March 17, 2005

CALL TO ORDER AND ROLL CALL: Chairman Richard Sweetman called the meeting to order. Secretary Kathy Johnson noted that a quorum was present.

BOARD MEMBERS PRESENT: Richard Sweetman, Lee McCahren, Kathy Johnson, Mike DeMersseman, and Linda Hilde.

BOARD MEMBERS ABSENT: Pat Healy, Wilbert Blumhardt, Chuck Monson, and Brian Radke.

OTHERS PRESENT: See attached attendance sheet.

APPROVAL OF MINUTES FROM JANUARY 19-20, 2005, MEETING: Motion by Hilde, seconded by DeMersseman, to approve the minutes from the January 19-20, 2005, Board of Minerals and Environment meeting. Motion carried.

SURFACE MINING ISSUES: Lee McCahren administered the oath to Eric Holm, DENR Minerals and Mining Program, who testified regarding releases of liability and releases of surety (see attached matrix sheet).

Release of Surety: Motion by Johnson, seconded by DeMersseman, to release \$500 for Kermit Wager, Gettysburg, SD, Mine License No. 98-646. Motion carried.

Release of Liability and Surety: Motion by McCahren, seconded by Hilde, to release \$2,000 surety and to release liability for one site in Hamlin County for Bleeker Construction Company, Castlewood, SD, Mine License No. 00-705. Motion carried.

Releases of Liability: Motion by Hilde, seconded by Johnson, to release liability for Asphalt Paving & Materials Company, Huron, SD, Mine License No. 83-159, two sites in Hand County and one site in Jerauld County; release liability for B&B Contracting, Inc., Aberdeen, SD, Mine License No. 01-716, one site in Brown County; release liability for Ruth Hulsebus, Brookings, SD, Mine License No. 83-149, one site in Brookings County; release liability for TF Luke & Sons, Inc., Kimball, SD, Mine License No. 83-11, one site in Hand County; release liability for Brown County Public Works Department, Aberdeen, SD, Mine License No. 83-154, one site in Brown County; release liability for Brookings County Highway Department, Brookings, SD, Mine License No. 83-172, one site in Brookings County; release liability for Buffalo County Highway Department, Gann Valley, SD, Mine License No. 83-50, one site in Buffalo County;

release liability for Harding County Highway Department, Buffalo, SD, Mine License No. 8366, one site in Harding County; and release liability for Jackson County Highway Department, Kadoka, SD, Mine License No. 83-79, one site in Jackson County. Motion carried.

Update on Reclamation at Sites Using Forfeited Surety: Eric Holm reported that in November 2004, the Board of Minerals and Environment approved the forfeiture of James Olson's \$559 surety (CD # 57236) and transferred the proceeds into the Special Reclamation Fund. The surety was forfeited for failure to complete final reclamation within three years and for failure to submit a required surety increase.

Mr. Holm stated that today the department was recommending that Mr. Olson's surety be combined with \$3,141 from the Special Reclamation Fund to reclaim two of James Olson's sites. These sites are approximately 15 to 18 miles northeast of Watertown.

One site in Grant County will be reclaimed by reducing pit wall slopes. On-site topsoil will be dozed in place. The surface owner has agreed to seed the area after the earthwork is completed.

The other site is in Deuel County. Reclamation will include filling a depression with on-site waste and reducing pit wall slopes. On-site topsoil will be hauled from stockpile. The surface owner's seed mixture will be used.

The use of this proposed \$3,141 of Special Reclamation Fund money to reclaim two additional sites will leave a balance of \$5,168, including accrued interest through December 31, 2004.

Responding to a question from Chairman Sweetman, Jay Fenenga, DENR Minerals and Mining Program, stated that a total of 35 % acres involving nine sites have been reclaimed at an average cost of \$1,210.

OIL AND GAS HEARING FOR CASE NO. 22-2004, LUFF EXPLORATION COMPANY:

Chairman Sweetman turned the gavel over to Mike DeMersseman, whom he had appointed as hearing chairman. Mr. DeMersseman opened the hearing 10:30 a.m. CST.

John Morrison, attorney from Bismarck, ND, represented Luff Exploration Company. Brett Koenecke, attorney from Pierre, appeared as local counsel for Luff Exploration Company.

Roxanne Giedd, deputy attorney general, represented the Department of Environment and Natural Resources.

Case No. 22-2004 is the application of Luff Exploration Company to amend the applicable orders for the Yellow Hair Field and the East Harding Springs Field so as to include the SW $\frac{1}{4}$ of Section 3, T22N, R5E of the Black Hills Meridian, Harding County, South Dakota, in the Yellow Hair Field; form a single spacing unit consisting of the SW $\frac{1}{4}$ of Section 3, the SE $\frac{1}{4}$ of Section 4, The NE $\frac{1}{4}$ of Section 9 and the NW $\frac{1}{4}$ of Section 10, T22N, R5E of the Black Hills Meridian, Harding County, South Dakota; allow the drilling of multiple horizontal laterals into the Red River "B" Zone at any location not closer than 500 feet to the boundary of said spacing unit; and to authorize the issuance of a permit for such a horizontal well.

Richard George, manager of engineering, was administered the oath and testified on behalf of Luff Exploration Company.

Exhibits offered and admitted into the record for Luff Exploration Company:

Exhibit 1- General locator map
Exhibit 2 - Existing spacing unit and proposed spacing unit
Exhibit 3 - Land plat
Exhibit 4 - Ownership for existing spacing unit and the expanded lands
Exhibit 5 - Production curve, Fuller Canyon Fed. 1-9 Yellow Hair
Exhibit 6 - Expanded production curve, Fuller Canyon Fed. 1-9 Yellow Hair
Exhibit 7 - Water cut curve, Fuller Canyon Fed. 1-9 Yellow Hair Exhibit S -
Porosity log, Fuller Canyon Fed. 1-9 Exhibit 9 - Seismic coverage, T22N, R5E
Exhibit 10 - Structure map using 2D and 3D seismic Exhibit 11- Design, vertical
to horizontal Exhibit 12 - Design, vertical to horizontal lateral to northeast Exhibit
13 - Timing explanation
Exhibit 14 - Summary of Luff's request

Fred Steece, DENR oil and gas supervisor, was administered the oath and testified on behalf of the Department of Environment and Natural Resources.

Notice of the hearing was published on January 12 and 19, 2005, in the Black Hills Pioneer, the Pierre Capital Journal, the Rapid City Journal, and the Nation's Center News. Affidavits of Publication are on file in the Department of Environment and Natural Resources' Rapid City office.

The department received no petitions to intervene in this matter.

Following the testimony, Mr. DeMersseman requested board action.

Motion by Sweetman, seconded by Hilde, to approve Luff Exploration Company's application for Case No. 22-2004. Motion carried.

The board approved the Findings of Fact, Conclusions of Law and Order later during the meeting.

OIL AND GAS HEARING FOR CASE NO. 2-2005, LUFF EXPLORATION COMPANY: Mr. DeMersseman opened the hearing at 10:50 a.m. CST.

John Morrison, attorney from Bismarck, ND, represented Luff Exploration Company. Brett Koenecke, attorney from Pierre, appeared as local counsel for Luff Exploration Company.

Roxanne Giedd, deputy attorney general, represented the Department of Environment and Natural Resources.

Case No. 2-2005 is the application of Luff Exploration Company to amend the applicable orders for the Travers Ranch Field so as to allow a second lateral to be drilled in the Red River "B" Pool from the Travers 1-6 well at any location not closer than 500 feet to the boundary of the spacing unit described as the S $\frac{1}{2}$ of Section 6 and the N $\frac{1}{2}$ of Section 7, T22N, R5E, Black Hills Meridian, Harding County, South Dakota.

Richard George, manager of engineering, was administered the oath and testified on behalf of Luff Exploration Company.

Exhibits offered and admitted into the record for Luff Exploration Company:

Exhibit 1- General locator map

Exhibit 2 - Summary of Luff S request

Exhibit 3 - Existing spacing units, Travers Ranch Field

Exhibit 4 - Land plat showing leases

Exhibit 5 - Comparison of working interest ownership

Exhibit 6 - Comparison of royalty interest ownership

Exhibit 7 - Comparison of overriding royalty interest ownership

Exhibit 8 - Rate/time curve, Travers 1-6 "B" zone Exhibit 9 -

Watercut curve, Travers 1-6 "B" zone Exhibit 10 - Structure map,

Travers Ranch Field Exhibit 11- Summary

Fred Steece, DENR oil and gas supervisor, was administered the oath and testified on behalf of the Department of Environment and Natural Resources.

Notice of the hearing was published on February 16 and 23, 2005, in the Black Hills Pioneer, the Pierre Capital Journal, the Rapid City Journal, and the Nation's Center News. Affidavits of Publication are on file in the Department of Environment and Natural Resources' Rapid City office.

The department received no petitions to intervene in this matter.

Following the testimony, Mr. DeMersseman requested board action.

Motion by Johnson, seconded by McCahren, to approve Luff Exploration Company's application for Case No. 2-2005. Motion carried.

The board approved the Findings of Fact, Conclusions of Law and Order later during the meeting.

PUBLIC HEARING ON PROPOSED CHANGE TO ARSD 74:27:22:04, COLLECTION TRANSPORTATION STORAGE AND PROCESSING OF WASTE TIRES: Chairman Sweetman opened the hearing at 11:10 a.m. CST.

The purpose of the hearing was to consider amending language related to approved uses and disposal of tire wastes. The amended rule will exempt, from the solid waste permitting requirements, the burial of tire shreds used in the construction of on-site wastewater treatment systems if the installation is approved and conducted in accordance with ARSD 74:53:01 and ARSD 74:27:22:03.

Jim Wendte, DENR Waste Management Program, stated that the board had held a public hearing in December 2004 and approved rule changes that allowed for a solid waste permitting process to ensure that anyone burying tires does so in an environmentally acceptable manner. The Interim Rules Review Committee approved the amendments, but raised a concern about how those rule changes might affect the use of waste tire shreds as a drainage material in a septic tank drain. The proposed rule change satisfies the concerns expressed by the Interim Rules Review Committee.

Mr. Wendte requested board approval of the following amendment.

74:27:22:04. Approved uses and disposal of certain waste tires. The use of waste tires is allowed as long as it does not constitute a nuisance. However, any burial or partial burial of a waste tire bale, tire shreds, whole tires or parts thereof, requires a permit be issued by the Board of Minerals and Environment in accordance with this article. No solid waste permit is required for the burial of tire shreds used in the construction of an on-site wastewater treatment system if the installation is approved and constructed in accordance with chapter 74:53:01 and § 74:27:22:03. A waste tire bale consists of any whole or cut waste tires that are compacted or mechanically formed into a bale and bound with wire or other similar materials. Nothing in this section prohibits a farmer or rancher from burying his own waste tires on his own property or utilizing his own waste tires for agricultural purposes if the provisions of 34A-6-1.4 are met. Uses of waste tires for structural or construction purposes are subject to the requirements of § 74:27:22:03.

Notice of the public hearing was published on February 17, 2005, in the Pierre Capital Journal, the Rapid City Journal, the Aberdeen American News, and the Yankton Daily Press and Dakotan. Affidavits of Publication are on file at DENR. Notice of the public hearing was also sent to the department's interested persons mailing list.

The Legislative Research Council reviewed and approved the proposed amendment for form style, and legality.

Following the public notice, the department received some requests for information related to the proposed amendment. The department received no written comments either in favor of or against the proposed amendment.

Mr. Wendte noted that the department recently received a telephone call from Nebraska Rubber Innovations. The owners of that company are associated with Mr. Miner, who buried the tire bales north of Yankton and prompted the department to pursue the rule changes in late 2004. Don Schmitz, part owner of the company and his attorney, have been in legal discussions with the state of Nebraska to get rid of approximately 300,000 tires. They have a desire to bury tire bales in Gregory County. Nebraska Rubber Innovations was not aware that the state of South Dakota now has a permitting process in place. Nebraska Rubber Innovations is exploring other options for disposal of these tires.

Discussion took place with Mr. Wendte answering questions from the board.

Chairman Sweetman requested public comments. No one in the audience offered public comments.

Chairman Sweetman requested board action.

Motion by Hilde, seconded by DeMersseman, to adopt the amendment to ARSD 74:27:22:04, as presented. Motion carried.

Chairman Sweetman declared the hearing closed at 11:30 a.m.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR OIL AND GAS CASE NOS. 22-2004 AND 2-2005, LUFF EXPLORATION COMPANY; Motion by Sweetman, seconded by Hilde, to adopt the Findings of Fact, Conclusions of Law and Order for Oil and Gas Case Nos. 22-2004 and 2-2005, Luff Exploration Company, and to authorize Mr. DeMersseman to execute the Order. Motion carried.

OTHER BUSINESS: Brian Gustafson, DENR Air Quality Program, answered questions from the board regarding ethanol production.

Chairman Sweetman asked when the board could expect to consider adoption of Findings of Fact, Conclusions of Law and Order in the matter of the petition for an order to show cause and declaratory judgment filed by Broin and Associates. The hearing for this matter took place at the board's June 2004 meeting. Ms. Giedd stated that Mr. Taylor has not yet submitted proposed Findings of Fact, Conclusions of Law and Order. She said technically, the board decision is not yet final, however, the department has been proceeding in accordance with the decision of the board, even though the Findings of Fact, Conclusions of Law and Order have not been presented and approved.

Steve Pirner, Secretary of DENR, provided an update on 2005 legislation. He also provided information on the newly established the Natural Non-Meandered Lakes Working Group. The purpose of the working group is to craft a consensus bill for the 2006 Legislature to establish uses of natural nonmeandered lakes. The working group consists of representatives from the Department of Environment and Natural Resources; Day County landowners Ordean Parks, Rueben Parks, Leonard Naessig, and their attorney, Jack Heib; Doug Hansen, SD Game, Fish and Parks; Chris Hesla, SD Wildlife Federation; Matthew McLarty, SD Farmers Union; Dick

Gregerson and Mike Held, SD Farm Bureau. The group will hold its first meeting in Pierre on April 28, 2005

The board discussed possibly holding its June 2005 meeting in the Black Hills.

FINAL PERMIT AND FINANCIAL ASSURANCE APPROVAL IN THE MATTER OF THE
ISSUANCE OF A SOLID WASTE PERMIT TO STROMSETH CONSTRUCTION,

WATERTOWN, SD: Charles McGuigan, assistant attorney general, presented the board with a copy of the permit that was developed by the department following the January 2005 hearing. The proposed permit was sent to Mr. Stromseth's attorney, John Knight, in February. At the request of Mr. Knight, the permit was amended to allow Mr. Stromseth to bury large tree stumps and to maintain access control through means other than just fencing at the east gravel pit site.

Mr. McGuigan provided a summary of the permit and conditions. He stated that the permit addresses all the issues that were agreed to by the parties during the hearing in January. Mr. McGuigan stated that Mr. Knight will serve as the independent third party. The department plans to meet with Mr. Stromseth and Mr. Knight to final the details of the access control provisions.

Motion by DeMersseman, seconded by Johnson, to accept the settlement agreement and to issue the permit to Stromseth Construction. Motion carried.

CARLSON VS. RASCHKE, DOBESH & SERB: Chairman Sweetman turned the gavel over to Mr. McCahren, whom he had appointed as hearing chairman for this matter. Mr. McCahren opened the hearing at 2:00 p.m. CST. The hearing was transcribed by court reporter Carla Bachand, Capital Reporting Services, Pierre, SD.

The board members and parties introduced themselves.

Roxanne Giedd, deputy attorney general, represented the Department of Environment and Natural Resources.

Wally Eklund, attorney from Gregory, represented John A. Carlson, Inc. Ken

Cotton, attorney from Wagner, represented Norma Dobesh. Walt Raschke

and William Sen appeared pro se. Ms. Giedd stated that the department filed a motion to intervene.

Motion by DeMersseman, seconded by Sweetman, to allow the Department of Environment and Natural Resources to intervene in this matter. Motion carried.

Ross Crabtree, environmental scientist, DENR Minerals and Mining Program, was administered the oath. He provided a presentation discussing background information including a summary of state mine licensing and reclamation requirements.

Mr. Crabtree testified that Mr. Carlson obtained a mine license in 1983. Mr. Carlson passed away in the fall of 2002. At the time, Mr. Carlson had 11 active mine sites. Since then, the program has worked with the Carlson estate to close out the license. Currently, eight of the 11 sites have either been reclaimed and released or transferred to other licensed operators.

Mr. Crabtree then provided background information and the current status of each of the three remaining sites including the Dobesh Site (Site 1006), W1/2 SW1/4 Section 15; T97N-R72W, Gregory County; the Raschke Site (Site 1010), Lots 1, 2, 3, & 4 & 51/2 N1/2 Section 9; T100NR73W, Gregory County; and the Sen Site 1020, Lots 2, 3, & 4 Section 36; T95N-R74W, Tripp County.

Exhibits offered and accepted into the record for the Department of Environment and Natural Resources:

Exhibit 1- John A. Carlson, Inc., mining license
Exhibit 2 - Affidavits of Publication for Notices of Intent to Mine the three sites
Exhibit 3 - John A. Carlson, Inc., \$20,000 surety bond form
Exhibit 4 - John A. Carlson, Inc.'s, request for release of liability for the site, October 2, 1997
Exhibit 5 - Landowner statements of satisfactory reclamation submitted by Bill Sen and Walt Raschke
Exhibit 6 - Aerial photo of Dobesch site, April 29, 1998
Exhibit 7 - Inspection reports and photographs for Dobesch site
Exhibit 8 - Aerial photo of Raschke site, October 2, 1997
Exhibit 9 - Inspection reports and photographs for Raschke site
Exhibit 10 - Aerial photo of Sen site, September 1 Exhibit 11-
Inspection reports and photographs for Sen site Exhibit 12 -
Hard copy of Mr. Crabtree's presentation

Howard Dreyer, Winner, SD, was administered the oath. Mr. Dreyer testified that he was employed with John A. Carlson, Inc., for 50 years. He testified on the history and condition of the Dobesh site.

Mike Dreyer, Winner, SD, was administered the oath. Mr. Dreyer testified on the history and condition of the Dobesh site.

Jo Carlson, Winner, SD, was administered the oath and testified on her efforts to close her husband's business including arranging for reclamation of the sites licensed by Mr. Carlson.

Exhibits offered and accepted into the record for John A. Carlson, Inc.:

Exhibit 13 - Aerial photograph of the Dobesh pit (aka Severin pit)
Exhibit 14 - Copy of map showing land ownership in the area Exhibits
15, 16, and 17 - Aerial photographs of Dobesh pit Exhibits 18, 19, 20,
and 21- Aerial photographs of Serr pit Exhibit 22, 23, 24, and 25 -
Aerial photographs of Raschke pit

Walt Raschke, Gregory, SD, was administered the oath and testified on the history and condition of the site and his plans for the Raschke site.

William Sen stated that he is satisfied with the reclamation performed by John A. Carlson, Inc. at the Sen site.

Dale York, Burke, SD, was administered the oath and testified on the history and condition of the Dobesh site.

Norma Dobesh, Burke, SD, was administered the oath and testified on the history and condition of the Dobesh site. Mrs. Dobesh stated that she wants the property reclaimed so it can be used for hay.

Exhibits offered an accepted into the record for Norma Dobesh:

Dobesh Exhibit 1- Lease and royalty agreement between John A. Carlson, Inc., and Lawrence Severin, dated February 9, 1987.

Dobesh Exhibit 2 -1984 aerial map obtained from the SCS in Burke, SD

Dobesh Exhibits 3, 4, 5, 6, 7, and 8 - Photographs of Dobesch site, dated March 17, 2005

The parties presented closing arguments. Mr. McCahren then requested board action.

Board discussion took place.

Motion by Sweetman, seconded by Hilde, to deny the petition filed by John A. Carlson, Inc., because reclamation has not been completed at the three sites pursuant to SDCL 45-6-67. Motion carried.

The board will consider the Findings of Fact, Conclusions of Law and Order at its April 21, 2005, meeting.

Mr. McCahren thanked the parties and declared the hearing closed. He turned the gavel back over to Chairman Sweetman.

NEXT BOARD MEETING: The next meeting is April 21, 2005, at the Matthew Training Center in Pierre.

ADJOURNMENT: Chairman Sweetman declared the meeting adjourned at 5:20 p.m. CST.

A court reporter was present for the Stromseth and Carlson vs. Raschke, Dobesh and Sen hearings and a transcript of the proceedings may be obtained by contacting Capital Reporting Services, PO Box 903, Pierre, SD 57501; telephone number 605-224-7611.

Board of Minerals and Environment
March 17, 2005, Meeting Minutes

The entire meeting was tape recorded and duplicate cassette tapes may be obtained by contacting the Department of Environment and Natural Resources, 523 East Capitol Avenue, Pierre, SD 57501; telephone number 605-773-3886.

<u>Karen Johnson</u>	<u>4/21/05</u>	<u>Wilbert Shumard</u>	<u>4-21-05</u>
Secretary	Date	Witness	Date

South Dakota Board of Minerals & Environment

March 17, 2005

<u>License/Permit Holder</u>	<u>License/ Permit</u>	<u>Site No.</u>	<u>Surety Amt.</u>	<u>Surety No.</u>	<u>Surety Company/Bank</u>	<u>DENR Recommendation</u>
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Release of Surety:

Kermit Wager Gettysburg, SD	98-646		\$500	16411	First National Bank, Pierre	Release \$500.
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Release of Liability and Surety:

Bleeker Construction Co. Castlewood, SD	00-705		\$2,000	1700045756	First Premier Bank, Castlewood	Release liability and \$2,000.
		705001	NE1/4 Section 21; T115N-R52W, Hamlin County			

Releases of Liability:

Asphalt Paving & Materials Company Huron, SD	83-159		\$20,000	55-96750	United Fire & Casualty Company	Release liability.
		159003	W1/2 NE1/4 & E1/2 NW1/4 Section 6; T116N-R69W, Hand County			
		159005	E. 2903.96' of N1/2 Section 14; T108N-R63W, Jerauld County			
		159018	S1/2 NE1/4 Section 8; T109N-R68W, Hand County			

B & B Contracting, Inc. Aberdeen, SD	01-716		\$1,000 \$500	91200 7900597517	First National Bank, Pierre Nationwide Mutual Insurance Company	Release liability.
		716001	NW1/4 Section 14; T127N-R64W, Brown County			

South Dakota Board of Minerals & Environment

March 17, 2005

March 17, 2005

<u>License/Permit Holder</u>	<u>License/ Permit</u>	<u>Site No.</u>	<u>Surety Amt.</u>	<u>Surety No.</u>	<u>Surety Company/Bank</u>	<u>DENR Recommendation</u>
<u>Releases of Liability:</u>						
Ruth Hulsebus Brookings, SD	83-149		\$1,500 \$500 \$500 \$500	41365 53589 71195 82140	First National Bank, Brookings First National Bank, Brookings First National Bank, Brookings First National Bank, Brookings	Release liability.
		149004	NW1/4 Section 18; T112N-R49W, Brookings County			
TF Luke & Sons, Inc. Kimball, SD	83-11		\$20,000	929211763	Western Surety Company	Release liability.
		11014	NE1/4 Section 6; T116N-R69W, Hand County			
Brown County Public Works Department Aberdeen, SD	83-154		EXEMPT	NA	NA	Release liability.
		154010	NW1/4 Section 14; T127N-R64W, Brown County			
Brookings County Highway Department Brookings, SD	83-172		EXEMPT	NA	NA	Release liability.
		172005	NW1/4 Section 18; T112N-R49W, Brookings County			

South Dakota Board of Minerals & Environment

March 17, 2005

<u>License/Permit Holder</u>	<u>License/ Permit</u>	<u>Site No.</u>	<u>Surety Amt.</u>	<u>Surety No.</u>	<u>Surety Company/Bank</u>	<u>DENR Recommendation</u>
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Releases of Liability:

Buffalo County Highway Department Gann Valley, SD	83-50		EXEMPT	NA	NA	Release liability.
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50012 SW1/4 Section 19; T107N-R71W, Buffalo County

Harding County Highway Department Buffalo, SD	83-66		EXEMPT	NA	NA	Release liability.
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66007 S1/2 Section 14; T15N-R9E, Harding County

Jackson County Highway Department Kadoka, SD	83-79		EXEMPT	NA	NA	Release liability.
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79013 Section 2; T41N-R38W, Jackson County

Update on Reclamation at Sites Using Forfeited Surety:

James Olson Watertown, SD	83-120		NA	NA	NA	
						120007 NE1/4 SW1/4 Section 16; T118N-R50W, Grant County
						120017 NE1/4 SE1/4 Section 9; T117N-R50W, Deuel County

South Dakota Board of Minerals & Environment

March 17, 2005

<u>License/Permit Holder</u>	<u>License/ Permit</u>	<u>Site No.</u>	<u>Surety Amt.</u>	<u>Surety No.</u>	<u>Surety Company/Bank</u>	<u>DENR Recommendation</u>
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Contested Case Hearing:

John A. Carlson, Inc.
Winner, SD

83-1

\$20,000

55-110414

United Fire & Casualty
Company

1006 W1/2 SW1/4 Section 15; T97N-R72W, Gregory County

1010 Lots 1, 2, 3, & 4 & S1/2 N1/2 Section 9; T100N-R73W, Gregory County

1020 Lots 2, 3, & 4 Section 36; T95N-R74W, Tripp County

ATTENDANCE SHEET

BOARD OF MINERALS AND ENVIRONMENT MEETING

Location

Matthew Training Center
Pierre SD

Date

3-17-05

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

John Morrison	Bismarck	huff Eye
Eric Holm	Pierre	DENR
Jay Fenenga	Pierre	DENR
Brett Koenig	Pierre	Coff
Richard D. George	Denver	Luft Exploration
FRED STEELE	R.C.	DENR
GL (Mack) McGillivray	Rapid City	DENR
My Green	Pierre	SPL
Jim Wendte	Pierre	DENR-WMP
Ross Crabtree	Pierre	DENR
Sal Carlson	Winnon	
Coakley Dwyer	Winnon	
Florence Kukpalek	Winnon	
Bill Serr	Dallas	
Eric P. Putnam	Gregory	
Howard Dwyer	Winnon	
Mike Dwyer	Winnon	
Red Litterer	Latter	
Ken Cotton	Winnon	Norma Dwyer
Norma Dwyer	Winnon	

ATTENDANCE SHEET

BOARD OF MINERALS AND ENVIRONMENT MEETING

Location Matthew Training Center
Pierre

Date 3-17-05

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Six Year

Burke, SS